

# ReedSmith

**David E. Wilks**  
Direct Phone: 302.778.7560  
Email: [dwilks@reedsmith.com](mailto:dwilks@reedsmith.com)

Reed Smith LLP  
1201 Market Street  
Suite 1500  
Wilmington, DE 19801-1163  
302.778.7500  
Fax 302.778.7575

September 6, 2006

**Via Electronic Filing and Hand Delivery**

The Honorable Kent A. Jordan  
U.S. District Court, District of Delaware  
844 North King Street, Room 4209  
Lock Box 18  
Wilmington, DE 19801

**Re: Tilley v. Pfizer, et al., Civil Action No. 06-513-KAJ**

Dear Judge Jordan:

On August 31, 2006, we filed defendants' motion for stay pending MDL transfer. Plaintiff has now agreed to the relief sought in that motion and the parties have executed the enclosed stipulation and proposed order. In the event that this proposal is acceptable to Your Honor, we would appreciate the Court's entry of the order. In the event that Your Honor has questions or concerns, we are of course prepared to address them at any time.

Thank you for the Court's consideration.

Respectfully submitted,

REED SMITH LLP

/s/ David E. Wilks  
David E. Wilks  
(Del. ID. No. 2793)

DEW:rs

cc: District Court Clerk (via Electronic Filing)  
All Counsel (via Electronic Filing)

NEW YORK ♦ LONDON ♦ LOS ANGELES ♦ PARIS ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND

MUNICH ♦ PRINCETON ♦ FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ LEESBURG

reedsmith.com

WILLIB-50136.1-DEWILKS 9/6/06 2:54 PM

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

KELLY A. TILLEY, as Personal  
Representative of the Estate of  
DANA ANDREW TILLEY, Deceased,

Plaintiff,

**VS.**

Civil Action No.06-00513-KAJ

PFIZER INC., PARKE-DAVIS, a division  
of Warner-Lambert Company and  
Warner-Lambert Company LLC,  
WARNER-LAMBERT COMPANY and  
WARNER-LAMBERT COMPANY LLC,

**Defendants.**

**STIPULATION AND (PROPOSED) ORDER  
TO STAY PROCEEDINGS PENDING MDL TRANSFER**

Plaintiff, Kelly A. Tilley, as personal representative of the Estate of Dana Andrew Tilley, and Defendants Pfizer Inc. and Warner-Lambert Company LLC, successor to Warner-Lambert Company LLC, on its own behalf and on behalf of its unincorporated division, Parke-Davis (collectively, the “Parties”), by their undersigned counsel, hereby stipulate and agree as follows:

1. The relief sought by Defendants in their Motion to Stay Proceedings Pending MDL Transfer filed on August 31, 2006 is now unopposed and shall therefore be deemed granted; and

2. All pretrial activity in this case, including, but not limited to, any and all motions challenging this Court's jurisdiction or to remand, if any, the deadline set forth in the

Court's letter to counsel dated August 30, 2006 and any other discovery and pretrial deadlines, shall be stayed pending transfer of this case to *In re Neurontin Marketing, Sales Practices and Products Liability Litigation*, MDL Docket No. 1629, for coordinated and consolidated pretrial proceedings.

Respectfully submitted,

/s/ L. Vincent Ramunno  
L. Vincent Ramunno (Del. Bar I.D. 594)  
RAMUNNO RAMUNNO & SCERBA, P.A.  
903 North French Street  
Wilmington, DE 19801-3399  
Telephone: 302.656.9400  
Facsimile: 302.656.9344  
Attorneys for Plaintiff

/s/ David E. Wilks  
David E. Wilks (Del. Bar I.D. 2793)  
REED SMITH LLP  
1201 Market Street, Suite 1500  
Wilmington, DE 19801-1163  
Telephone: 302.778.7500  
Facsimile: 302.778.7575  
Attorneys for Defendants

Of Counsel:

Andrew Finkelstein  
Kenneth B. Fromson  
Finkelstein & Partners  
436 Robinson Avenue  
Newburgh, New York 12550  
Telephone: 800.529.2676

Of Counsel:

Scott W. Sayler  
Douglas B. Maddock, Jr.  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, Missouri 64108-2613  
Telephone: 816.474.6550  
Facsimile: 816.421.5547

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
The Honorable Kent A. Jordan

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

KELLY A. TILLEY, as Personal	:	
Representative of the Estate of	:	
DANA ANDREW TILLEY, Deceased,	:	Civil Action No. 06-CV-513
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
PFIZER INC., PARKE-DAVIS, a division	:	
of Warner-Lambert Company and	:	
Warner-Lambert Company LLC,	:	
WARNER-LAMBERT COMPANY and	:	
WARNER-LAMBERT COMPANY LLC,	:	
	:	
Defendants.	:	

**CERTIFICATE OF SERVICE**

I, David E. Wilks, hereby certify that on the 6th day of September, 2006, I caused a true and correct copy of a *Stipulation and (Proposed) Order to Stay Proceedings Pending MDL Transfer* to be served on the counsel for the plaintiff listed below, via electronic CM-ECF:

Andrew Finkelstein, Esq.  
FINKELSTEIN & PARTNERS, LLP  
436 Robinson Avenue  
Newburgh, New York 12550

L. Vincent Ramunno, Esq.  
RAMUNNO, RAMUNNO & SCERBA, P.A.  
903 French Street  
Wilmington, DE 19801

Dated: September 6, 2006

/s/ David E. Wilks  
David E. Wilks (DE ID 2793)